IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

Crl.Rev.Pet.No. 435 of 1999()

CRA.132/1998 of IV ADDL.SESSIONS COURT, ERNAKULAM
ST.603/1996 of JUDL. MAGISTRATE OF FIRST CLASS-I, KOCHI

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REVN. PETITIONER: APPELLANT/ ACCUSED

N.K.ASOKAN, S/O.KANDAN,
NIKATHITHARA HOUSE,
KARUTHEDAM, MALIPPURAM.

BY ADV. SRI.K.A.JALEEL

RESPONDENTS: RESPONDENTS/ COMPLAINANT

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1. **P.B.SOMAN, S/O.BAWAKUNJU,**
   PANICKESSERY HOUSE,
   ELAMKUNNAPUZHA.

2. **THE STATE OF KERALA, REP.BY**
   PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM

BY ADV. SRI.P.SANTHOSH KUMAR
SRI.T.A.RAJAN
PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.MP. NO.1853/1999 IN CRL.RP. 435/1999

DISMISSED

26.06.2007 **SD/- K.R.UDAYABHANU, JUDGE**

/TRUE COPY/

P.S. TO JUDGE

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K.R. UDAYABHANU, J.

CRL.R.P.NO.435 of 1999

DATED THIS THE 26th June 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a fine of Rs.5,000/- and in default to undergo simple imprisonment for three months. The fine amount, if realised, is to be paid to the complainant. The revision petitioner has only sought for modification of the sentence and time to pay the amount.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay Rs.75,000/-(Rupees seventy five thousand) to the complainant and in default to undergo simple imprisonment for three months. The revision petitioner is granted four months time to pay the amount. He shall appear before the Judicial First Class Magistrate-I, Kochi on 26-10-2007 to receive sentence. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

ks.

K.R.UDAYABHANU, J

CRL.R.P.NO.435 of 1999

ORDER

26-2-2007

ks.